



WASHINGTON STATE DEPARTMENT OF  
**Natural Resources**

## Forest Practices Application/Notification Notice of Decision

FPA/N No: 2808602

Effective Date: 08/28/06

Expiration Date: 08/28/08

Shut Down Zone: 656

EARR Tax Credit: ☒ Eligible ☐ Non-eligible

Reference:

Walkin' T. S.

### DECISION:

- ☐ NOTIFICATION Operations shall not begin before the effective date.
- ☒ APPROVED This Forest Practices Application is subject to the conditions listed below.
- ☐ DISAPPROVED This Forest Practices Application is disapproved for the reasons listed below.
- ☐ CLOSED Applicant has withdrawn approved FPA/N.

### FPA/N CLASSIFICATION

### Number of Years Granted on Multi-Year Request

☐ Class II ☒ Class III ☐ Class IVG ☐ Class IVS ☐ 2 yrs ☐ 3yrs ☐ 4yrs ☐ 5 yrs

### Conditions on Approval / Reasons for Disapproval

FPA No.: 2808622

This permit, its attached conditions, and any related official notices must be available on the work site while the operation is active. Landowner and Operator are responsible for informing their workers of these permit requirements.

Contact the Department of Natural Resources at least two (2), but not more than five (5) working days prior to the start of operations to provide start date. Call 360-856-3500 for Forest Practices to leave notice.

**Operate ground-based equipment during periods of stable soil conditions. If excessive rutting or soil displacement occurs (ruts 6 inches or deeper on 10% or more of the area on which equipment is operated), stop yarding until dry conditions prevail.**

As proposed, this project includes activity that will be done in or over a forested wetland area, which will consist of equipment crossing, ground skidding, and falling/bucking. Such activity shall be subject to the following:

- Activities that occur within or across the forested wetland shall be limited to the dry season (June 1<sup>st</sup> to October 31<sup>st</sup>).
- Temporary crossing shall be placed in an area with the least impact to the forested wetland (i.e. existing skid road) that will not require any excavation or fill and where there is no presence of water.
- Cribbing logs or slash debris shall be installed along the pathway where the crossing/yarding will occur. To minimize soil impaction, sufficient crib logs or slash debris shall be used to completely cover the wetland area where the crossing activity will take place.
- All the crib logs or slash debris that was used for the temporary crossing shall be removed either upon completion of yarding/skidding operations or by October 31<sup>st</sup>, 2006.
- Any deviation of these provisions shall require written approval from the Forest Practices forester, and may require additional Forest Practices review.
- Upon completion of harvest activities, the applicant shall contact the Forest Practice Forester for an on-site review.

This application is subject to conditions contained in WA Dept. of Fish & Wildlife Bald Eagle Net Site Management Plan: Hatchery/Bear Creek 969.

### Please Note:

Prior to commencing harvest activity, applicant shall ensure adequate leave trees are designated for retention, consistent with WAC 222-30-020 (11).

The applicant is encouraged to locate their leave trees along the edges of the forested wetland complex.



Issued By: Scott Hanna *L.H.*

Region: Northwest

Title: Bellingham Forest Practice Forester

Date: 08/28/06

Copies to: ☒ Landowner, Timber Owner and Operator



### **Appeal Information**

You have 30 calendar days to appeal this Decision and any related State Environmental Policy Act determinations to the Forest Practices Appeals Board. You must follow the requirements of RCW 76.09.220(8) and WAC 223-08.

Certain economic development projects may have a different appeal process. RCW 43.21L and WAC 199-08 describes the alternate appeal process.

Additional information on both appeal processes is available from the Washington Environmental Hearings Office at <http://www.eho.wa.gov/> or at (360) 459-6327.

### **Other Applicable Laws**

Operating as described in this application/notification does not ensure compliance with the Endangered Species Act, or other federal, state, or local laws.

### **Transfer of Forest Practices Application/Notification (WAC 222-20-010)**

Use the "Notice of Transfer of Approved Forest Practices Application/Notification" form. This form is available at region offices and on the Forest Practices Division website: <http://www.dnr.wa.gov/forestpractices/>. Notify DNR of new Operators within 48 hours.

### **Continuing Forest Land Obligations (RCW 76.09.070, RCW 76.09.390, and WAC 222-20-055)**

Obligations include reforestation, road maintenance and abandonment plans, and harvest strategies on perennial non-fish habitat (Type 4) waters in Eastern Washington.

Before the sale or transfer of land or perpetual timber rights subject to continuing forest land obligations, the seller must notify the buyer of such an obligation on a form titled "Notice of Continuing Forest Land Obligation". The seller and buyer must both sign the "Notice of Continuing Forest Land Obligation" form and send it to the DNR Region Office for retention. This form is available at DNR region offices.

If the seller fails to notify the buyer about the continuing forest land obligation, the seller must pay the buyer's costs related to continuing forest land obligations, including all legal costs and reasonable attorney's fees incurred by the buyer in enforcing the continuing forest land obligation against the seller.

Failure by the seller to send the required notice to the DNR at the time of sale will be prima facie evidence in an action by the buyer against the seller for costs related to the continuing forest land obligation prior to sale.